

Town of Nolensville  
Board of Mayor and Aldermen Meeting  
Date: April 3, 2008, Time 7:00 p.m.  
Nolensville Elementary School

Mayor Beth Lothers opened the meeting at 7:00 p.m. Members present were Mayor Lothers, Aldermen Jimmy Alexander, Joe Curtsinger, Tommy Dugger, and Ken Thomas. Staff present: Counsel Robert Notestine, Town Planner Henry Laird, Engineer Don Swartz, and Recorder Cindy Lancaster. There were 25 citizens present.

Pastor Steve Durham with the Radnor Baptist Church delivered the prayer and led the Pledge.

Citizens Input:

Mr. Jay Nelson, 720 Stonecastle Place, thanked the Mayor and Nolensville for their dedication to the downtown area. He stated that he represents the downtown Sewer Committee, the Historic Nolensville Development Association. Mr. Nelson updated the board noting currently the entire downtown area is being surveyed. He stated that two engineers would be attending a meeting on April 17<sup>th</sup>, to discuss the design. He expressed it was the Committee's desire to accommodate everyone within the downtown area. He thanked the Mayor for her hard work to preserve the downtown area. He added that this area has marketability and no one wants to see empty buildings.

Mayor Lothers made a motion to approve the regular meeting minutes of March 3, 2008, Alderman Alexander seconded.

Alderman Dugger noted that there were some typographical errors within the minutes. Counsel Notestine noted that the minutes could be approved without an amendment if it is only typographical errors. The vote was taken and the minutes were approved unanimously.

Alderman Dugger made a motion to approve the treasurer's report for January, Alderman Alexander seconded the motion. The vote was taken and this report was approved unanimously.

COMMITTEE REPORTS:

Town Planner Henry Laird reported for the Planning Commission.

- Bent Creek request for a new phase was deferred
- A training session was conducted for the Planning Commission on the bond process
- Seven out of nine Planning Commission members attended an MTAS training session

Historic Commission Member/Alderman Ken Thomas reported for the Historic Commission.

- Noted there was no meeting/report

Fire Chief Presley Hughes reported for the Nolensville Volunteer Fire Department.

- Distributed the Department's quarterly report
- Noted a firefighter achieved Firefighter I
- Department recently purchased power cutters

- Currently searching for a new “tire” site

Mayor Lothers asked Chief Hughes if alarm calls within the town were mainly commercial or residential. Chief Hughes said that alarm calls have decreased overall.

Planner Henry Laird noted there was no report for the Planning Department.

Engineer Don Swartz reported for the Engineering Department

- Currently the Rocky Fork Road realignment should start up again in 30 to 60 days depending upon the weather
- Rocky Fork Road and Newsome Lane survey has been completed and the adjacent property owners have indicated a desire to sell
- Within the next two to three weeks Williamson County Highway Department will begin work on various road repairs within Nolensville
- Time line for the Safe Route to School Grant at this point is dependent on the states response to what was submitted

Police Chief Paul Rigsby reported for the Police Department.

- Written statistics were distributed to Board
- One officer completed annual training
- Two officers will be out for the next few weeks due to surgery
- Radar trailer traffic data is available and can be distributed to board. Chief Rigsby asked for the board’s recommendation as to where they wish the trailer to be located.

Mayor Lothers noted that next month the radar data could be placed on the power point presentation for the citizens and Board to review.

Mr. Bob Hayes reported for the Public Works Department.

- Performing maintenance on vehicles to prepare for the mowing season

Chair Suzie Lindsey reported for the Events Committee

- Work has ongoing for the 4<sup>th</sup> of July event
- Due to increasing shipping cost, the fireworks have increased in price
- More sponsorships have been obtained
- Volunteers are needed for this event

Alderman Thomas stated that he has had the opportunity to work with this committee and they do a great job. He noted that Suzie puts numerous hours into this committee. He praised Suzie and her committee.

Mayor’s Report:

- a. Other

Mayor Lothers noted that the Storm Water Appeals Board has met. Engineer Consultant, Mr. Tom Allen, has been working with this Board. He distributed educational material for this committee with a power point presentation for educational purposes.

Mayor Lothers noted that the Trails and Trees Committee would be meeting tomorrow. She added that a representative from the state would be attending to discuss grant opportunities.

Public hearing on Ordinance 08-04, an ordinance to amend the Zoning Map of Nolensville, to rezone property currently Estate Residential (ER) to Commercial Services (CS) with Commercial Corridor Overlay (CCO) property located at 7167 and 7171 Nolensville Road. Mayor Lothers made a motion to defer this until next month, due to a typographical error on the letter that was sent to adjacent property owners. Alderman Alexander asked if the Engineering firm representing this property was informed. Mayor Lothers stated that the property owner, Mr. Yazdian was contacted. Alderman Dugger asked how many property owners this actually affected. Planner Laird stated that he notified two adjacent property owners, in addition to the property owner across the street. Alderman Dugger asked if Mr. Greg Goats (a property owner that attended this meeting) would like to give any comment in regards to the property rezoning. Mr. Goats said that he was in favor of Mr. Yazdian getting this property rezoned. Alderman Dugger seconded the motion for the deferral and this passed unanimously.

First reading of ordinance 08-03, an ordinance to amend Chapter 13, of the Municipal Code in regards to overgrown lots in the Town Of Nolensville. Alderman Dugger made a motion to approve this ordinance, Alderman Thomas seconded. Counsel Notestine noted that the Tennessee Municipal Attorneys Association met recently and this Association made a recommendation to the Tennessee Municipalities to adopt this ordinance. He noted that currently Nolensville's ordinance states that littering with debris is not allowed. He stated that this ordinance would allow the town to file a lien on the property if the town chooses to clean the property that is in violation. He noted that Metro has a similar ordinance.

Mayor Lothers asked Counsel Notestine about an appeal process. Counsel stated that section six within the ordinance would give the property owner the opportunity to come before the Board of Mayor and Aldermen and section seven gives the property owner the ability to appeal in court.

Alderman Dugger stated that in section two the town must designate the individual or entity that will enforce this ordinance.

Alderman Thomas asked for clarification on definition of debris and the location of this definition within this ordinance. Counsel Notestine stated that litter and debris is defined in the town's existing ordinance. He noted that portion remains within the Municipal Code. Mayor Lothers asked if this would affect anything in regards to the county collecting the town's property taxes. Counsel Notestine stated it only allows the town to place a lien on the property and it will not effect the current property tax collection by the county.

Alderman Curtsinger asked why a utility company or carrier would get more time than a property owner to remove the debris. Counsel Notestine stated that this ordinance does not have to pass in this form. He added amendments could be made to this document. Alderman Curtsinger inquired to the right of ways. Counsel Notestine stated that the right of way belongs to the town and a lien would not be filed on the town's property. He stated that this would apply to any other property within the town limits. Alderman Curtsinger asked how this would be applied to construction sites such as the one on Johnson Industrial Boulevard where there are

rocks and debris. Counsel Notestine stated this would be a matter of enforcing. He added that unless someone takes action nothing would be done. Counsel noted that with this ordinance the town would be able to file a lien on the property if it is forced to remove the debris.

Alderman Alexander stated that he is aware of some areas where there is over growth and is not allowing flow of water. Alderman Alexander asked if this could be applied to those situations. Counsel Notestine noted that previously there have been some situations that water was backed up in the road. The town has taken action if it backs up in the road.

Mayor Lothers read a portion of the Municipal Code that addressed this situation. Counsel Notestine noted that the portion that was read deals with the right of way. He added that there are some subdivision lots that do not have drainage easements and this addresses that issue.

Alderman Curtsinger made a motion to amend this ordinance to allow the property owner twenty (20) days, which is the same time frame as a utility company, Mayor Lothers seconded. The vote was then taken and first reading of this ordinance as amended passed unanimously.

First reading of ordinance #08-05, an ordinance of the Town Of Nolensville adopting a budget for the fiscal year July 1, 2008 through June 30, 2009. Alderman Dugger made a motion to approve this ordinance, Mayor Lothers seconded. Mr. David Rowland, member of the Budget Committee addressed the board. He went over the budget process noting that last year the committee asked for a "blue sky" request from the departments. This year the committee asked for a "bare bones" request. He stated that the building permit fees are anticipated to be down 50% this next year. Builders were contacted to give their estimates of the anticipated number of permits that will be pulled next year for Nolensville. He added that the committee met with almost everyone that had submitted a budget request. Mr. Rowland said that the General Fund largest expenditures are payroll. Town hall staff will receive a 2% raise.

Mr. Rowland addressed the impact fee noting the expenditures within each line item. Mr. Rowland then addressed the facilities tax noting that this, in addition to the impact fee, will come from building industry. He noted that within the Facilities Tax there are funds earmarked. The earmarked funds are for Town hall/rec center - \$1,000,000 and the fire hall addition \$250,000.

Mr. Rowland then went over the Williamson County Tax that was recently adopted. He noted that these funds must be spent on Capital Improvements pertaining to Schools within the Nolensville town limits.

Mayor Lothers asked that the board take a moment to number their pages so that if there is discussion a page number can be referred to. She then asked the board if they had any questions.

Alderman Thomas inquired about \$5,000 dedicated donation on page three. He asked if this was for the town events. Mayor Lothers stated yes.

Alderman Curtsinger asked, on page four, within the Public Works, repair and maintenance is only \$500. He asked if \$500 would be sufficient for this line.

Alderman Thomas asked about the engineering personnel reduction cost. He inquired to how this number was reached. Mayor Lothers stated that the town has moved from a full-time engineer to a part-time engineer. She added that consultants are hired for engineering specialties.

Alderman Curtsinger stated that this Committee requested a bare bones budget. He asked if the essential departments were funded to their necessary need. Mr. Rowland stated the hard part of this task was to take those budgets and cut \$49,000 from the numbers that were submitted.

Mayor Lothers said that the time consuming portion is the volunteers analyzing the submitted data. She noted that she appreciated the level of scrutiny and time it took to compose this budget.

Alderman Thomas noted that there is a reduction in almost every revenue line item. He commended the Committee noting that he felt it was difficult with everyone having more needs.

Alderman Curtsinger stated that he would ask again, "Are the essential departments funded to their necessary need."

Alderman Dugger stated if Alderman Curtsinger was asking if the Budget Committee gave the essential departments everything they asked for, the answer is no. Alderman Dugger noted that the Police Department did not get what they had requested and the Fire Department did not get what they had requested.

Mayor Lothers went over the various budget requests in addition to what they received. Mr. Rowland added that within the discussions with the various departments no one ever said, "We cannot provide the essential services if we get this amount".

Alderman Alexander noted that he attended most of the budget meetings and he felt this committee did a good job.

Alderman Thomas stated that he attended one meeting and concurred with Alderman Alexander. He added that he could feel the pain within the room when they couldn't fund something they really wanted to fund.

The Board thanked committee members, Mr. David Rowland and Mrs. Carla Ediger, for all their hard work.

The vote was taken and first reading passed unanimously.

The meeting adjourned at 8:02 p.m. by acclamation.

Respectfully submitted,

Approved,

Cindy Lancaster  
Town Recorder

Beth Lothers  
Mayor